

DFEH News Brief

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EUREKA HEALTHCARE CENTER SETTLES RACE DISCRIMINATION CASE FOR \$80,000

Elk Grove, CA – The California Department of Fair Employment and Housing (DFEH) today announced the \$80,000 settlement of a race discrimination in employment case filed with the Fair Employment and Housing Commission (FEHC) against Skilled Healthcare Group and its subsidiaries.

The DFEH filed an Accusation with the FEHC after investigating a complaint filed against Eureka Healthcare and Rehabilitation Center by a registered nurse who alleged she had been harassed and discriminated against because of her race (African American), and retaliated against for complaining about the harassment.

“The Department’s enforcement of the Fair Employment and Housing Act (FEHA) guarantees that employees who face discrimination can address their claims,” said DFEH Director Phyllis Cheng. “This settlement shows why safeguarding civil rights is indispensable. Businesses should be aware that they have the legal obligation to prevent discrimination from occurring. No employee should have to endure this abusive, unlawful conduct. Discrimination will not be tolerated.”

The Accusation alleges that, while employed in an assisted independent living facility operated by Skilled Healthcare in Eureka, California, a co-worker subjected the complainant to an egregious racially discriminatory remark. After reporting the incident to the nursing director, the complainant’s supervisors required her to attend a meeting with them and the co-worker, who claimed he wanted to apologize. During the meeting, the co-worker allegedly yelled additional racially discriminatory remarks at the complainant in front of the supervisors. Instead of disciplining the employee for his abusive and unlawful conduct, the company promoted him to a position with supervisory authority over the complainant shortly after the meeting. The complainant followed up with a written complaint to the company’s regional administrator. However, the complainant allegedly received no response, and the application for a promotion she submitted several months later likewise went ignored, according to the Accusation.

As part of the settlement, Skilled Healthcare agreed to conduct training on the FEHA’s prohibition against discrimination, harassment and retaliation at its five facilities in Eureka, California, including information on filing and responding to complaints. The company also agreed to conduct diversity training at these facilities. In settling the case, Skilled Healthcare did not admit to any liability.

The Mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence. For more information, visit the Department's Web site at www.dfeh.ca.gov.

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